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## THE END REACHED

In the Work of Negotiating the Treaty of Peace.

THE TERMS FINALLY SETTLED.

The Signatures to the Document Will be Affixed

TO-MORROW OR MONDAY NEXT.

All That Remains to be Done is the Engraving of the Instrument. The Spaniards are exceedingly bitter over the result, although observing the forms of friendliness—President Rios leaves the Council Chamber for his bed in a state of collapse and Chamberlain—European Nations Blamed—United States Designated as "a Conscienceless Giant"

PARIS, Dec. 8.—The United States and the Spanish peace commissioners concluded their work to-day and finally settled the terms of the treaty of peace. They will meet once more in formal session on Saturday or Monday next, when the Spanish commissioners, with feelings of relief, will write their signatures upon the document which embodies the results of the war, and the preparation of which has consumed eleven weeks, a longer time than the war itself. In the meantime the treaty will be engrossed under the supervision of Mr. Moore and Senor Ojeda, the secretaries of the respective committees. The Spaniards are exceedingly bitter over the result, though observing the forms of friendliness and courtesy to the end. Senor Montero Rios, whose strong and persistent struggle to save for his country every possible asset from the wreck of her colonial empire, has commanded the respect and admiration of his opponents, went from the council chamber to-day to his bed, in a state of complete collapse as the result of the long strain, and his chair on the small fruits of his efforts. Senor Ojeda has been prostrated since yesterday and was unable to attend the joint session to-day.

The Spaniards charge equal blame upon the European powers and the United States for their downfall. One of the Spanish commissioners said this evening:

"The European nations have made a great mistake in deserting Spain and leaving her to spoliation by the brute force of a conscienceless giant. They all know that in the Philippines America has taken more than she can digest. She will ultimately sell the islands to England or Germany, and when the transfer is attempted it will precipitate general European strife."

"We have refused to sell any island in the Carolines. We never thought of considering an offer. Nor have we consented to negotiate upon any question except those directly involved in the protocol signed at Washington."

## SCOPE OF THE TREATY.

Will Contain Little Outside of the Washington Protocol—Rios Kicks on His Message.

PARIS, Dec. 8.—The members of the commission say the treaty will contain little outside the scope of the Washington protocol and the matters directly affected thereon, like the provision for the evacuation of the ceded territories, the transfer of public property therein and guarantees of the safety of the property and rights of the Spanish citizens remaining there.

The details of the last class of questions covered by the statement which the Americans handed to Senor Montero Rios at the last meeting were considered to-day, but all the commissioners refuse to divulge the details of the conference. Several points upon which they were unable to agree were left open for diplomatic negotiations.

The Spaniards refuse to admit that they had failed to reject former treaty proposals guaranteeing religious freedom in the Caroline Islands, and that there was a necessity for new guarantees.

The conclusion of the work was, according to the commissioners, marked by politeness and all outward evidences of good feeling and relief at the fact that the task was accomplished.

When all the propositions had been discussed, Judge Day, president of the American commission, remarked:

"There seems to be nothing more to do but to engross and sign the treaty."

Senor Montero Rios, president of the Spanish commission, acquiesced to this, and the Americans bowed themselves out before the Spaniards, according to their custom.

The Madrid papers are disposed to revive the question of the Maine and to publish opinion against the United States on account of the reference made to this subject in President McKinley's message to Congress. They report that Senor Montero Rios, president of the Spanish commission, made an impassioned denunciation of President McKinley at the last session of the joint commission. But these reports are practically without foundation.

Senor Rios did refer to the Maine, but in only one calmly worded sentence, expressing regret that the President had spoken, as Spaniards thought, unjustly of them. The Spaniards had already proposed at this conference to have the responsibility of the Maine reported upon by a joint commission of the European powers. The American commissioners refused to listen to this and permitted Senor Rios' reference to the President's message to pass unchanged, as a discussion would have provoked debate and bad blood.

Diplomatic circles in Paris predict, as one of the results of the treaty, a diplomatic contest between France and the United States which may have an important chapter in history.

The French government is reported to have resolved to take up the case of the French holders of Cuban bonds and it is believed France will declare that the repudiation of the bonds is the result of the treaty which the victorious nation imposed upon Spain. They argue that through the treaty responsibility has been shifted upon America, and therefore the French government will endeavor to exact some pledge for the payment or guarantee of the bonds.

Spain's Protest. MADRID, Dec. 8.—The impartial to-day says the Spanish government yesterday decided to telegraph to Senor Montero Rios, president of the Spanish peace commission at Paris, instructing

him to again protest against President McKinley's reference to the Maine in his recent message to Congress. Continuing the impartial says there is great indignation at the American commissioners' rejection of Senor Rios' request for a neutral investigation into the cause of the loss of the Maine. A semi-official note just issued says: "Spain has been treated by the conqueror with unexampled cruelty and is resigned to her fate. But she cannot tolerate President McKinley's accusation, for she is conscious of her complete innocence."

It is understood that the government has decided to end the Paris conference on the ground that the discussion of secondary questions is impossible."

## CHAMBERLAIN'S SPEECH

On the British Government's Foreign Policy—The Far Eastern Question—The Anglo-American Alliance Referred to Happily.

LONDON, Dec. 8.—Rt. Hon. Joseph Chamberlain, secretary of state for the colonies, speaking at a Conservative gathering in Wakefield, Yorkshire, this evening, fully discussed home and foreign affairs, and the government's policy in Egypt, which, he said, depended entirely upon the possibility of reaching an understanding with France, "a thing which is impossible so long as the French pursue a policy of exasperation."

With regard to the relations between Great Britain and Russia in connection with the Far East, he said that while hitherto the endeavors to reach an agreement had failed, he believed an agreement was now in view, and unless very serious complications were to be encountered. There were, he continued, no insurmountable obstacles to an agreement. On the contrary it was quite possible to conciliate the reasonable ambition of Russia with the fixed policy of Great Britain to maintain equal opportunities for trade with all nations.

"I am more sanguine of arriving at a settlement," said Mr. Chamberlain, "because it is not for our interests alone that the United Kingdom and our children over seas who are well able to defend their own possessions and their own exclusive interests against all attack, but surely it is not unreasonable to seek alliance and to expect a co-operation where the interests involved are those of others as well as ourselves."

"But if I congratulate you upon the development of good feeling between us and a great continental state, still more do I rejoice at the growth of friendly relations between ourselves and our colonies. Between ourselves and the United States. Already the United States, if regarded from the standpoint of potential resources, is the greatest of civilized states—with its immense population of intelligent citizens, chiefly Anglo-Saxons, and if we are assured of the Anglo-Saxon race whether it abides under the stars and stripes or the union jack, there is no other combination that can make a world."

Replying later in the proceedings to a vote of thanks for his address, Mr. Chamberlain said he hoped many years had passed, to see a federation of the empire, with colonial representatives in the imperial parliament. Referring to a personal allusion to his "setting a good example in forwarding the hoped-for alliance with the United States by marrying an American," he said:

"I am a married man. Englishmen are following the example that I think it quite possible the alliance may be accepted without the interference of governments." (Laughter.)

## TERRIBLE TRAGEDIES.

Young man Murders his Cousin and her Escort—Insane Mother Kills her Daughter, Shoots a Physician and then Suicide.

MISSOURI CITY, Mo., Dec. 8.—What will undoubtedly prove to be a double murder, was committed to-night in a country church two miles out from Missouri City. Miss Della Clevenger was shot down, mortally wounded, and her escort to the meeting house, George Allen, was instantly killed. The murderer was Ernest Clevenger, cousin to the young woman, who was one of his victims. The tragedy occurred immediately after the congregation had been dismissed, as the worshippers were leaving the church. Young Allen and Miss Clevenger were walking out together. Ernest Clevenger, armed with a revolver, slipped up behind them, placed the weapon close to Allen's ear and fired. His victim fell dead at his feet and at the same moment the assassin turned the weapon upon his fair young cousin, shooting her in the back. She fell across the body of her murdered escort.

The tragedy was due to Ernest Clevenger's insane jealousy of his cousin, and this was intensified by the fact that her father, Joseph Clevenger, had forbidden Ernest to come to her house.

DETROIT, Mich., Dec. 8.—When Frank Brooks, of 157 Russell street, this city, came home from work to-night he found in one bedroom his wife, shot dead, and in another his nine-year-old daughter, also dead. In a note that he found from his wife, she stated that she was tired of life and was going to heaven and take her little daughter with her, from which it is supposed she committed the murder and then suicide. The woman had been in poor health for some time.

Dr. Oliver S. Bell, of 1501 Russell street, was also shot by Mrs. Brooks. He called in the middle of the afternoon and presented his bill at her request, he says. She received him cordially, and after seating him, went into a side room, as he supposed to get some money. The next thing he heard was a pistol shot, and simultaneously he rushed out the woman continuing to fire at him.

After getting his wound dressed, he went to his mother's home in Windsor, Ont., across the river. Dr. Bell says that when he entered the house Mrs. Brooks seemed perfectly rational, and he was unable to account for her terrible deeds.

## MEDICAL SERVICE

Of Army—Surgeon General Sternberg's Testimony Before the Commission.

WASHINGTON, Dec. 8.—The conduct of the medical service of the army was taken up to-day by the war investigating commission, and Surgeon General Sternberg was rigidly questioned about his administration. The medical department, he said, was equipped only for an army of 25,000 men when the war broke out and from year to year the estimates he had submitted had been materially reduced by Congress in a policy of economy of appropriations.

He conceded it was a mistake not to have appointed more contract surgeons from those who had experience in the civil war, for their experience would have been invaluable but he was ignorant, at the outset of the permanency of the camps.

Thrashing over the controversy between regimental and division hospitals, he credited the establishment of the latter to their success in two years' experience in the civil war.

Cardinal Gibbons' Position.

WASHINGTON, D. C., Dec. 8.—Cardinal Gibbons in behalf of himself and the archbishops of the Catholic church in America, has submitted a petition to Congress asking that the question of the contract school system be reopened and that Congress again go over the whole subject of Indian education. The petition sets forth at length the history of the Indian school question and the legislation applying to it, up to the recent provisions in appropriation bills looking to the gradual discontinuance of government aid to sectarian schools. The petition asks that a congressional inquiry be made in place of the departmental inquiries in order that the merits and defects of contract schools and government schools may be shown, and "not kept as a secret of state concealed in the files of any department or office."

First Pensions of Recent War.

WASHINGTON, D. C., Dec. 8.—The first of the special pension bills growing out of the Spanish-American war to be introduced at the present session is that of Representative Gillett, of Massachusetts, to pension the survivors of Captain Dickinson, Seventeenth United States Infantry, mortally wounded during the fight at El Caney on July 1 last. Other bills of this character, coming over from last session, are those to pension the mother of Worth Bagley, the naval ensign who lost his life on the torpedo boat Winslow during the bombardment of Cardenas; and to pension the widow of Captain Gridley, commander of Admiral Dewey's flagship Olympia, during the battle of Manila.

Vest Wants an Investigation.

WASHINGTON, Dec. 8.—Senator Vest to-day introduced in the senate a resolution providing for the appointment of a joint commission to investigate the charges of corruption in the conduct of the war with Spain. The preamble to the resolution recites that "charges have been made in the public press over the signatures of responsible parties that improper and corrupt means have been used to secure contracts for the government for the purchase of vessels for the navy and for the furnishing of clothing and other necessary articles for the army of the United States during the war with Spain at excessive and exorbitant rates."

As to Future Commissions.

WASHINGTON, D. C., Dec. 8.—Senator Vest to-day followed up the debate in executive session of yesterday, concerning the appointment of senators and members of the house to positions on presidential commissions by the introduction of a bill prohibiting the practice of making such appointments. The bill is very brief and is as follows: That no person while holding a judicial or legislative office under the United States shall be appointed by the President commissioner or agent of the government, nor of any department or bureau thereof.

Senate's Short Session.

WASHINGTON, D. C., Dec. 8.—The senate held a short session to-day and then adjourned until Monday, after making the Nicaraguan canal bill the unfinished business before that body. Mr. Morgan called up the measure whereupon Mr. Pettigrew moved to adjourn.

This motion failed, thirteen yeas to forty-two nays, whereupon the bill was brought forward. Adjournment was immediately taken. During the session, Mr. Vest stated his opposition to the hurried manner of passing pension bills in the senate and gave notice that he would insist upon a quorum being present when pension bills were being acted upon.

A Famous Flag.

WASHINGTON, D. C., Dec. 8.—The President and secretary of the navy had an interesting visitor to-day in the person of Mrs. Harriet R. P. Stafford, of Cottage City, Mass., a patriotic old lady, who desired to present to the government the flag worn by the good old frigate Bon Homme Richard during her memorable victorious engagement with the British frigate Serapis, September 23, 1779. Mrs. Stafford had the historical old ensign in her possession and presented satisfactory evidence that it was the first flag bearing the stars and stripes ever hoisted over an American vessel of war and the first that was ever saluted by a foreign naval power.

Urgent Deficiency Bill Passed.

WASHINGTON, Dec. 8.—The urgent deficiency bill to provide for the support of the military and naval establishments was passed by the house to-day, practically without opposition. A fear had been expressed that the measure might open up a prolonged debate on the conduct of the war, but the Democratic leaders decided that such a debate would properly come later on the regular appropriation bills, or upon the bill for the reorganization of the army. There was not a word of criticism of the war during the debate.

Senate Confirmation.

WASHINGTON, D. C., Dec. 8.—The senate to-day confirmed the following nominations: Powell Clayton, of Arkansas, to be ambassador to Mexico. Brigadier Generals to be major generals, Guy V. Henry, United States Army; Leonard Wood, U. S. V.

Pottery Trust Completed.

EAST LIVERPOOL, O., Dec. 8.—It was announced here to-day that the Pottery trust has completed its organization under the laws of New Jersey, with twenty million dollars of capital stock. The options of the American pottery company, on the East Liverpool plants, expire January 1, and the combine is expected to have all of them.

## VICTIMS OF STORM.

Wreck of British Steamship Londonian in Mid-Ocean.

CARGO SHIFTED IN A GALE

And She Drifted About at the Mercy of the Waves—The Superhuman Efforts of the Ship Vedamore to Rescue Her Crew Results in Saving Forty-Six—Twenty-Five Men Went Down With the Vessel, Together With 650 Cattle—Most of the Lost Were Cattlemen—A Partial List of the Drowned.

BALTIMORE, Md., Dec. 8.—The Johnston line steamer Vedamore, of Liverpool, Captain Bartlett, for whose safety fears were beginning to be felt, as she was several days over-due, arrived this morning at Pier 31, Locust Point, with 45 shipwrecked mariners, which she had picked up at sea. Twenty-five others went down with their ship.

The supposed lost are: Captain William Lee, Chief Officer, Murray, Chief Engineer, Stafford, Third Engineer, Slater, and twenty-one other seamen, firemen and cattlemen.

The men landed are the survivors of the British steamship Londonian, of London, bound from Boston for London with a large general cargo and 650 cattle on deck. She left Boston November 15 and on November 23, in a violent gale her cargo shifted and she almost lost her life. She was broken up by her crew, who were helpless to right her, and for two days she drifted about at the mercy of the winds and waves. Assistance came at 5 o'clock on the morning of November 25. The Vedamore hove in eight five miles distant and as it was still quite dark the Londonian burned signal fires and fired distress rockets. The signals were seen aboard by the officers on the Vedamore bridge and reported to Captain Bartlett, who gave immediate orders that the Vedamore's course be changed. The Londonian was then to the southward of the Johnston liner. It did not take the Vedamore long to cover the five miles that lay between them and as soon as she arrived alongside she was signalled to stand by.

"Do you wish to abandon the ship?" was signalled from the Vedamore as soon as daylight would permit her signals being seen, and Captain Lee, of the Londonian, signalled back that he wanted the Vedamore to tow his ship. Captain Bartlett, saw at a glance that this was an impossibility and refused to attempt it, as it would have endangered his own ship. Captain Lee then signalled, asking that the Vedamore stand by to render assistance. Soon afterward he signalled "Will abandon ship," and at noon in the teeth of a stiff gale Second Officer Hobbs and a volunteer crew gallantly launched one of the Vedamore's boats and attempted to reach the sinking Londonian. For three hours the sturdy Britons battled with wind and wave in a vain attempt to reach her, but finally were forced to return to their ship. Captain Bartlett then steamed to windward of the doomed steamer and several attempts to rescue the Londonian's crew were made fruitlessly.

A Piteous Appeal.

As it grew too dark to do anything more, Captain Bartlett signalled "Will stand by you until morning."

The piteous signal, "For God's sake, don't leave us," came back in reply. During the night the wind increased and by morning it was blowing very hard. Then it was that another mortal wreck was decided upon. For hours life buoys with lines attached were floated toward the Londonian and at last her crew succeeded in getting one aboard. One of the Vedamore's life boats, improvised as a life car, made a trip successfully and twenty-two half frozen, exhausted men were hauled up over the side of the Vedamore and given every comfort the ship afforded. As the boat was going back to the Londonian wreck a big sea demolished it. The lines were carried away and the communication broken.

Chief Officer Doran, of the Vedamore, volunteered to launch another life boat to attempt the rescue. The seas were by this time terrible and the only way to the Londonian was by the only boat was handled that she lived it out. For two hours the boat's crew struggled at the oars, but could not get closer than sixty yards of the wreck. They were at last forced to give up and return to their ship and in doing so the boat was smashed against the ship's side and lost. They all came near drowning, but were hauled aboard with lines. Another fearful night of peril and fear passed. The next morning twenty-three of the men of the Londonian succeeded in launching one of their own boats and reached the Vedamore in safety. Their boat was also lost and all that day was spent in trying to again establish communication with the wreck. The gale was constantly increasing and all efforts to save the others were in vain.

List of the Lost.

BOSTON, Dec. 8.—Following is a partial list of the cattlemen supposed to have been on board the Londonian: Patrick Ward, foreman for the Swift Packing and Provision Company, of Chicago, 33 years old, unmarried, resided in Everett; Daniel Callahan, foreman for the Nelson Morris Packing Company, of Chicago, Somerville; Michael Malone, 26 years old, unmarried, Fall River; Fred Wallace, 22 years old, unmarried, Boston; Thomas McCoy, 45 years old, unmarried, Plainfield, N. J.; John J. Neville, 33 years old, unmarried, Boston; Henry Welsh, 32 years old, unmarried, Fall River; John Martin, 40 years old, unmarried, Boston; D. Coleman, 40 years old, married, Boston; James Bibby, 37, married, Charleston; Michael Sloan, 19, unmarried, Lawrence; Thomas Higgins, 32, unmarried, Boston; Daniel Coveney, 40, married, Boston; George Bell, 40, supposed to live in Boston; J. F. Kennedy, 35 years old; James O'Brien, 26 years old; M. Angel, 23 years old; W. M. Langmaid, 22 years old; J. Ward, 21 years old; Michael Johns, 45 years old; P. La Montague, 19 years old; Napoleon Rouchert, 19 years old; D. B. Potts, 26 years old; A. Smith, 23 years old; A. Puplin, 25 years old.

LEWIS DEFEATED

For President of Ohio Federation—He and Supporters Bolt Convention.

ZANESVILLE, O., Dec. 8.—August Smith, of Toledo, was elected president of the Ohio Federation of Labor here to-day, after L. T. Lewis, of Bridgeport, the former president, and a company of supporters had withdrawn from the convention.

Lewis undertook to control the convention in the interest of his own reelection, but the convention refused to adopt a credential report seating six delegates on whom Lewis' success depended. A great confusion resulted and the Lewis party walked out.

## SHIRKEY WILL CONTEST

The Election of Ashby in Kanawha—Boone-Clay Senatorial District.

CHARLESTON, W. VA., Dec. 8.—M. Shirkey, Republican candidate for state senate from this district, to-day, by his attorney, George W. McClintic, served notice of contest on Walter L. Ashby, his Democratic opponent at the recent election. Mr. Shirkey alleges that irregularities have been discovered in the conduct of the election at various precincts in Kanawha, Clay, and Boone counties, which invalidate the votes polled at the precincts specified, and that if they are thrown out, as the law requires, his election will be shown by a clear majority.

This action on the part of Mr. Shirkey is one of the results of the account demanded by the Democratic candidates in Kanawha county, at which irregularities were disclosed, and exceptions taken that if maintained would make a material change in favor of the Republican candidates.

Other irregularities of equal importance were discovered in Boone and Clay counties, where the election law was frequently violated in the manner in which the election was conducted and the returns made.

Prominently Connected.

SPECIAL DISPATCH TO THE INTELLIGENCER. MORGANTOWN, W. VA., Dec. 8.—A telegram received here to-day announced the death of John Wallace, for many years a citizen of this place, and a son of James Wallace, Jr. He was seventy-one years of age. He was a brother of J. C. Wallace, of Morgantown; Mrs. John W. Mason, of Fairmont, and Rev. William Wallace, of Brownsville, Pa.

Christmas Cheer for our Soldiers.

SPECIAL DISPATCH TO THE INTELLIGENCER. CHARLESTON, W. VA., Dec. 8.—A movement is on foot here to furnish a Christmas dinner for the two West Virginia regiments. The dinner is to include turkey, cranberries and all the regulation fare of holiday times. Mayor DeGruyer has been elected as executive supervisor, with power to appoint the committees to solicit contributions, and make the necessary arrangements.

Killed by the Cars.

SPECIAL DISPATCH TO THE INTELLIGENCER. CHARLES TOWN, W. VA., Dec. 8.—Charles Ramsburg, of Kearneysville, while attempting to board a freight train near that place this morning was struck and instantly killed. His right arm was cut off and he was injured about the head. The deceased was about thirty years old, and was a son of John J. Ramsburg, of Leetown. A wife survives him.

## SMALLPOX EPIDEMIC

At Bedford, Pennsylvania—400 Cases of the Disease—A Starling State of Affairs.

HUNTINGDON, Pa., Dec. 8.—Among Bedford's population of 3,800, there are about two hundred cases of what is said to be genuine smallpox. This alarming condition of affairs was discovered yesterday and up to that day there continued an interrupted comingling of the citizens of the town in respect of their physical condition. Dr. W. B. Atkinson, of Philadelphia, inspector of the state board of health, passed through here to-day on his return home from Bedford, where he spent yesterday in diagnosing the disease that prevails from one end of the town to the other. The Bedford physicians disagree, some pronouncing it to be chicken pox and others a harmless skin disease.

Dr. Atkinson, after a thorough examination, said it is genuine smallpox. He himself counted 130 cases in the town and believed there were fully 200 in all. Men, women and children, he declared, with smallpox crusts on their bodies and faces, have been traveling the streets day and night and visiting from house to house, unconcerned of the true nature of their terrible affliction. The rapid spread of the disease was due to the inability of the local physicians to diagnose it, not one of the practicing physicians of the town ever before having treated a smallpox case.

Drastic measures were taken to-day to prevent the contagion from spreading further. The whole town is closely quarantined, policed and guarded and heroic measures will be prosecuted to check the plague.

The danger to the whole central part of the state is manifest, as people of Bedford, while infected with the disease, have been traveling to and near. George Martin, a member of Company A, fifth regiment, of Huntington, who is afflicted with smallpox, contracted the disease while playing football in Bedford from an opposing Bedford player, who at the time showed the crusts of smallpox on his face. The Huntingdon school board has ordered compulsory vaccination of all the pupils.

Prominent Presbyterian Divine Dead.

MEADVILLE, Pa., Dec. 8.—Rev. John V. Reynolds, died at his residence in this city to-day. He was born in Meadville, April 12, 1815, and entered Jefferson College at Cannonsburg, in 1831, graduated in 1834. He then entered upon the study of theology at Princeton College, and continued until 1838. In 1839 he was licensed to preach and was chosen pastor of the First Presbyterian church of Meadville. The pastoral relation lasted for a period of thirty years.

Our Lucky "Ballast."

KINGSTON, Jamaica, Dec. 8.—The Gleaner, a semi-official newspaper, discussing President McKinley's message to Congress, to-day says: "America is clearly entering on a vigorous career which may carry her to heights of undreamed of power, or land her in woe and predicaments. Therefore, she is lucky to possess the active friendship of England for ballast on her perilous voyage on the ocean of international bickerings."

General Garcia Seriously Ill.

WASHINGTON, D. C., Dec. 8.—Gen. Garcia, of the Cuban army, who has been confined to his hotel for some days, is announced to be quite seriously sick. There are some fears of pneumonia.

Movements of Steamships.

NAPLES—Aller, New York to Genoa. BREMEN—Kaiser, Friedrich, New York via Bremen. QUEENSTOWN—Rhyndland, Philadelphia for Liverpool.

Weather Forecast for To-day.

For West Virginia, threatening weather; colder; continued cold Saturday; northwesterly wind.

For Pennsylvania and Ohio, threatening weather, preceded by snow on the lake; colder; continued cold Saturday; high west to northwest winds.

Local Temperature.

The temperature yesterday, as observed by C. Schenck, druggist, corner Market and Fourth streets, was as follows:

7 a. m. .... 23 11 p. m. .... 28  
9 a. m. .... 21 12 p. m. .... 25  
12 m. .... 20 1 p. m. .... 26  
Weather—Clear.

## THREE HAVE TOLD

Deviney-Johnson Jury how they Should Reach a Verdict

MR. HOWARD WILL CONCLUDE

The Arguments at this Morning's Session of the Criminal Court—Yesterday's Crowds the Largest of the Trial—Messrs. Boyce and Dovenor Made Powerful Appeals for the two Defendants, While Prosecutor Meyer's Arraignment of the Pair was Scathing and Telling—A Verdict This Evening is Likely.

It is likely that the jury in the Deviney-Johnson trial will retire to consider their verdict very soon after the opening of the afternoon session of the criminal court this afternoon, and that a verdict will be reached either in the afternoon or at night is considered probable.

At yesterday's session, arguments were made by Messrs. Boyce and Dovenor for the defense and by Prosecuting Attorney Meyer for the state. This morning Mr. John A. Howard will make the closing argument for the state, and as he has three hours' time he will probably not conclude until a short time after the afternoon session begins.

Mr. Meyer made a very strong speech in behalf of the state, and his arraignment of the two prisoners was scathing in its merciless severity.

The first argument for the defense was by Mr. S. O. Boyce, and to say that he did himself proud is only a repetition of the sentiments expressed by many who heard his address, in fact his plea for the prisoners was on all sides admitted to be a remarkably strong one. He has been identified with the case since the arrest of Deviney and Johnson, and had all the details at his instant command.

At the night session, the closing plea for the prisoners was made by Congressman Dovenor, who in a most eloquent address sought to have the jury take his view that Deviney and Johnson acted in self-defense in the tragedy that resulted in McLaughlin's death. The testimony was gone over at length, especially with reference to the self-defense theory.

MR. MEYER OPENS.

Prosecuting Attorney Meyer made an eloquent and forceful presentation of the state's case in his address, which occupied the morning session. In opening he explained to the jury their duties and responsibilities, doing so lucidly and effectively. Mr. Meyer drew a picture of the McLaughlins with William Craig and Samuel Young walking down Market street, and the sudden attack made by the prisoners. Charles McLaughlin falling with a bullet in his body, alone, for the first intimation of danger his companions had run for safety.

It was a bold piece of work to shoot a man down in daylight on a public thoroughfare. The jury must consider who killed Charles McLaughlin. The McLaughlin party was not the aggressor, as all circumstances tended to show. The defense intimated that Craig fired the first shot, an inconsistent claim because Craig's revolver was a 22 caliber, and the holes in the bill board were made by a 32, and the hole in Johnson's pants was larger still.

The state, continued Mr. Meyer, had produced reputable witnesses to establish the prisoners' guilt. James H. Hannan saw the prisoners with a drawn revolver pass his store, and heard a voice he thought to be Johnson's say "Give it to them." Detective John M. Short, a Baltimore & Ohio employee, heard two reports and saw Johnson out in the street firing at Charles McLaughlin. John Charlton, of Mannington, riding by on his bicycle, heard and saw the same thing. Charles McLaughlin had no revolver in sight when this witness saw him. Theodore Brinkmyer, from his photograph gallery, noticed that the shots and smoke came from the north end of the street.

Mrs. Levinia Scroggins and Andy Robinson corroborated the evidence that Johnson fired before Charles McLaughlin drew his revolver. Louis Thiers saw two men in the street firing at a man on the pavement.

Will Craig, whom the defense would have the jury believe fired the first shot, ran as soon as the shooting started. The only man he saw with revolvers were the defendants. Frank McLaughlin turned and ran into the gallery where he heard shots and saw Johnson's gun aimed at his brother, Charles.

In view of this testimony, said Mr. Meyer, it was absurd to place reliance on the self-defense theory, which was supported only by the testimony of the two defendants. The state had eleven reputable witnesses as against what Johnson and Deviney testified. The defense failed to prove that the McLaughlins had uttered threats, nor show by one bit of evidence that Charles McLaughlin had threatened to kill either Johnson or Deviney. Johnson's story of what he saw from a window in the Parker house was false, as shown by Thomas Lynch, an honest man. As to the trouble between them, the prisoners started it Wednesday night, and the state would grant that the McLaughlins started it Thursday morning, but the latter had never uttered threats, to prove which the defense had failed entirely.

Johnson's testimony was torn into shreds by the prosecuting attorney, and the state's witnesses were all reputable residents of the city. Mr. Meyer said that the plot to kill the McLaughlins, Friday, September 9, was planned in the notorious Parker's block, by Johnson and Deviney, who started out that day to kill their men. The murder of Charles McLaughlin was deliberate, premeditated. It was done without provocation, the defense to the contrary, "because," argued the speaker, "you can't kill a man on Friday for having fought with you on Thursday." Johnson and Deviney weren't in danger from poor Charles